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and at that time, the House was called to order with Mr. Donato of Medford in the Chair.

Friday, April 28, 2006 (at 11:00 o'clock A.M.).

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

Prayer.

Eternal God, in Whom we place our confidence and trust, we take this moment to offer a prayer of thanks for our countless blessings. We also pray for Your assistance and guidance as we evaluate and address today's budget items. Teach us to recognize and to utilize wisely our great human and material resources in dealing with the current needs of people and of our communities in this changing world. May we keep in mind the accomplishments and the dedication of our elected predecessors who were concerned with the well-being of all citizens and of our communities. Help us to work together in resolving issues, to listen to the concerns of all and to respect the rights, dignity and religious beliefs and values of our neighbors.

Grant Your blessings to the Speaker, the members and employees of this House and their families. Amen.

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

Message from the Governor -- Veto.

A message from His Excellency the Governor returning with his objections thereto in writing the engrossed Bill further regulating eligibility for the police civil service examination {see House, No. 4352, amended} (for message, see House, No. 4918) was filed in the Office of the Clerk on Thursday, April 27.

Police, -civil
service
examinations.

The message was read; and, under House Rule 12, it was placed in the Orders of the Day for the next sitting, the question being on passing the bill, notwithstanding the said objections.

Statement of Representative Nangle of Lowell.

A statement of Mr. Nangle of Lowell was spread upon the records of the House, as follows:

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MR. SPEAKER: I would like to call to the attention of the House the fact that I will not be present in the House Chamber for a portion of today's sitting in order to attend calling hours for a departed friend. Any roll calls that I may miss today will be due entirely to the reason stated. If I could be present on the question on passing to be engrossed the General Appropriation Bill, I would vote in the affirmative.

Statement of
Representative
Nangle of
Lowell.

Reports of Committees.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the House Bill providing for a partial release of certain land in Hatfield from the operation of an agricultural preservation restriction (House, No. 4472) be scheduled for consideration by the House.

Hatfield,
-land.

Under suspension of Rule 7A, on motion of Mr. Kocot of Northampton, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Wagner of Chicopee, for the committee on Transportation, on House, No. 2216, an Order relative to authorizing the committee on Transportation to make an investigation and study of a certain House document concerning the Safe Rides Program (House, No. 4919).

Safe Rides
Program,
-study.

By Mr. Verga of Gloucester, for the committee on Veterans and Federal Affairs, on House, No. 3895, an Order relative to authorizing the committee on Veterans and Federal Affairs to make an investigation and study of a certain House document concerning the issuance of hunting licenses to certain persons serving an active duty in the armed forces (House, No. 4920).

Hunting
licenses,
-study.

Severally referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Subsequently Mr. Scaccia of Boston, for said committees, reported, in each instance, asking to be discharged from further consideration of said orders; and recommending that the same severally be referred to the House committee on Rules.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

Engrossed Bill.

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The engrossed Bill relative to the city of Peabody Municipal Light Plant (see House, No. 4462, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the Speaker and sent to the Senate.

Bill
enacted.

Recesses.

At nineteen minutes after eleven o'clock A.M. (Friday, April 28), on motion of Mr. Peterson of Grafton (Mr. Donato of Medford being in the Chair), the House recessed until the hour of twelve o'clock P.M.; and at half past twelve o'clock the House was called to order with Mr. Donato in the Chair.

Recesses.

The House thereupon took a further recess, on motion of Mr. Flynn of Bridgewater, until a quarter before one o'clock P.M.; and at that time the House was called to order with Mr. Donato in the Chair

Orders of the Day.

The House Bill making appropriations for the fiscal year 2007 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (House, No. 4900, amended) was considered.

General
Appropriation
Bill.

Pending the question on passing the bill to be engrossed, Mr. DeLeo of Winthrop and other members of the House moved that the bill be amended in section 2, as follows:

By striking out item 2000-0100 and inserting in place thereof the following item:

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"2000-0100 For the office of the secretary, including the water resources commission, the hazardous waste facility site safety council, the coastal zone management program, environmental impact reviews conducted pursuant to chapter 30 of the General Laws, the mosquito-borne disease vector control chapter program, and a central data processing center for the secretariat; provided, that the secretary of environmental affairs may enter into interagency agreements with any line agency within the secretariat, whereby the line agency may render data processing services to said secretary; provided further, that the comptroller may allocate the costs for such data processing services to the several state and other funds to which items of appropriation of such agencies are charged; provided further, that said secretary shall file a plan with the house and senate committees on ways and means 20 days before entering into any interdepartmental service agreements with any of the departments or divisions under said secretariat or any department, division or office under the executive office of administration and finance; provided further, that the secretary shall file a plan with the house and senate committees on ways and means and to the joint committee on environment, natural resources and agriculture 90 days prior to the initiation of any proposal or plan that would consolidate any function with any of the departments or divisions under said secretariat or any department, division or office under the executive office of administration and finance; provided further, that the plan shall include, but not be limited to the following: (1) an identification of the employees that would be affected by consolidation and the item of appropriation that they are paid from, (2) the savings or efficiencies to be realized, (3) the improvements to the services expected, and (4) the source and amount of funding necessary to accomplish the consolidation; and provided further, that the secretary shall provide a 90 day notice prior to the implementation of any memorandum of understanding, interagency service agreements, or other contacts, or

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agreements that would enable such consolidation of services to take place; provided further, that not less than \$260,000 shall be expended for the Hingham Harbor environmental program; provided further, that the executive office of environmental affairs shall develop and implement a scope of work and a written plan to protect and manage the Plymouth-Carver Sole Source Aquifer in consultation with the Towns of Bourne, Carver, Kingston, Middleborough, Plymouth, Plympton, and Wareham, through a Plymouth-Carver Aquifer Advisory Committee (PCAAC) to be comprised of an ombudsman from the said executive office and two members from each of the towns to be appointed by the executive elected body in each town; provided further, that the PCAAC shall be established for the duration required to complete a final written plan which must be endorsed by all members of the PCAAC; provided further, that not less than \$100,000 shall be appropriated for the administration of the PCAAC; and provided further, that not less than \$150,000 shall be expended for a coastal shore water testing program administered by the Coalition for Buzzards Bay ... 6,519,383",

By striking out item 2000-9900 and inserting in place thereof the following item:

"2000-9900 For the office of geographic and environmental information established in section 4B of chapter 21A of the General Laws; provided, that \$400,000 shall be expended for the development of a comprehensive statewide digital data layer of land use/land cover and related services necessary to develop this data layer 686,415",

By striking out item 2010-0100 and inserting in place thereof the following item:

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"2010-0100 For recycling and related purposes consistent with the recycling plan of the solid waste master plan which includes municipal equipment, a municipal recycling incentive program, recycled product procurement, guaranteed annual tonnage assistance, recycling transfer stations, source reduction and technical assistance, consumer education and participation campaign, municipal household hazardous waste program, the recycling loan program, research and development, recycling market development and recycling business development, and the operation of the Springfield materials recycling facility; provided, that funds may be expended for a recycling industry reimbursement program pursuant to section 24I of chapter 43 of the acts of 1997; provided further, that not less than \$15,000 shall be provided to the Blackstone Regional Recycling Center; and provided further, that funds may be expended on municipal recycling incentives and equipment grants 2,360,267",

By striking out item 2200-0100 and inserting in place thereof the following item:

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"2200-0100 For the operation of the department of environmental protection, including the environmental strike force, the office of environmental results and strategic planning, the bureau of resource protection, the Senator William X. Wall experimental station, and a contract with the University of Massachusetts for environmental research, notwithstanding the provisions of section 323F of chapter 94 of the General Laws; provided, that the provisions of section 3B of chapter 7 of the General Laws shall not apply to fees established pursuant to section 18 of chapter 21A of the General Laws; provided further, that not less than \$50,000 shall be provided to the City of Pittsfield to fund the Onota Lake education program; provided further, that not less than \$100,000 shall be expended for DEP pump testing at the Cole property site for a municipal water supply for the town of Carver; provided further, that not less than \$50,000 shall be expended for the Buzzards Bay National Estuary Program; provided further, that \$168,000 shall be expended for sediment control in Lake Webster; provided further, that not less than \$15,000 shall be provided to the town of Blackstone for water contamination monitoring services; and provided further, that enactment of the appropriations made available by this act to the department shall be deemed a determination, pursuant to subsection (m) of section 19 of chapter 21A of the General Laws 32,455,670",

By striking out item 2300-0101 and inserting in place thereof the following item:

"2300-0101 For a program of riverways protection, restoration and promotion of public access to rivers, including grants to public and nonpublic entities; provided, that the positions funded in this item shall not be subject to chapter 31 of the General Laws; and provided further, that \$25,000 shall be appropriated for operation and maintenance of the Orange River Front Park 523,547",

By striking out item 2310-0200 and inserting in place thereof the following item:

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"2310-0200 For the administration of the division of fisheries and wildlife, including expenses of the fisheries and wildlife board, the administration of game farms and wildlife restoration projects, for wildlife research and management, the administration of fish hatcheries, the improvement and management of lakes, ponds and rivers, for fish and wildlife restoration projects, the commonwealth's share of certain cooperative fishery and wildlife programs, and for certain programs reimbursable under the federal Aid to Fish and Wildlife Restoration Act; provided, that funds from this item shall be made available to the University of Massachusetts at Amherst for the purposes of wildlife and fisheries research in an amount not to exceed the amount received in fiscal year 2006 for such research; provided further, that the department shall expend the amount necessary to restore anadromous fish in the Connecticut and Merrimack river systems; provided further, that expenditures for such programs shall be contingent upon prior approval of the proper federal authorities for reimbursement of at least 75 per cent of the amount so expended; and provided further, that funds may be expended to supplement the natural heritage and endangered species program 8,950,000

Inland Fisheries and Game Fund 100.0%",

By striking out item 2330-0100 and inserting in place thereof the following item:

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"2330-0100 For the operation of the division of marine fisheries, including expenses of the Annisquam river marine research laboratory, marine research programs, a commercial fisheries program, a shellfish management program, including coastal area classification, mapping and technical assistance, and for the operation of the Newburyport shellfish purification plant and shellfish classification program; provided, that \$300,000 shall be expended on a recreational fisheries program to be reimbursed by federal funds; provided further, that not less than \$90,000 shall be expended for the joint operation of a shellfish propagation program on Cape Cod between the division and Barnstable County Department of Health and the Environment; provided further, that not less than \$45,000 shall be expended for shellfish propagation on the islands of Martha's Vineyard and Nantucket to be administered jointly by the state aquaculture coordinator, the Martha's Vineyard Shellfish Group, Inc. and Nantucket County; provided further, that the sum expended for the School for Marine Science and Technology to help mitigate the negative economic impact to the Massachusetts ports which has resulted from the change in federal fisheries regulations in fiscal year 2007 shall not be reduced from fiscal year 2006 except in proportion to adjustments consistent with the department's budget adjustment; and provided further, that funds shall be expended for the School for Marine Science and Technology for research to minimize the economic impact of new fisheries management regulations and shall not be reduced from fiscal year 2006 except in proportion to adjustments consistent with the department's budget adjustment ... 4,880,156",

By striking out item 2511-0100 and inserting in place thereof the following item:

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"2511-0100 For the operation of the department of agricultural resources, including the office of the commissioner, the expenses of the board of agriculture, the division of dairy services, and the division of regulatory services and animal health, including a program of laboratory services at the University of Massachusetts at Amherst, the expenses of the pesticides board, and the division of agricultural development and fairs; provided, that funds may be expended for the Southeastern Massachusetts Agricultural Partnership; provided further, that funds may be expended for agricultural fair prizes and rehabilitation, including the expenses of the agricultural lands board; provided further, that the department shall, to the extent possible, encourage corporate sponsorships for the purposes of providing agricultural fair prizes; provided further, that \$100,000 shall be expended for 4-H activities; provided further, that \$150,000 shall be expended for an electronic pesticide license and product registration system for the licensing and registration required under chapter 132B; provided further, that said system shall be integrated with the existing SPORT electronic licensing system operated by the Department of Fish and Game; provided further, that funds may be expended for the regional "Buy Local" initiatives Community Involved in Sustaining Agriculture (CISA), Berkshire Grown, Essex Grown, and Southeastern Massachusetts Agricultural Partnership (SEMAP), to be distributed equally and administered by the Department of Agricultural Resources; and provided further, that funds may be expended for implementation of the agricultural marketing strategic plan, including, but not limited to, a 'Buy Local' campaign and funding for agricultural business training and technical assistance

..... 4,252,820",

By striking out item 2800-0101 and inserting in place thereof the following item:

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"2800-0101 For the watershed management program to operate and maintain reservoirs, watershed lands and related infrastructure of the department and the office of water resources in the department of conservation and recreation; provided, that \$500,000 shall be paid to the town of Clinton, under section 8 of chapter 307 of the acts of 1987, to compensate for the use of certain land; provided further, that the amount of the payment shall be charged to the General Fund and shall not be included in the amount of the annual determination of fiscal year charges to the Massachusetts Water Resources Authority assessed to the authority under section 113 of chapter 92 of the General Laws; provided further, that \$100,000 shall be expended to Medway for an environmental protection grant; provided further, that not less than \$250,000 shall be expended to the town of Braintree for a hydrologic study of the watershed area; provided further, that \$400,000 be expended for monitoring of invasive weeds in Crystal Lake in the City of Peabody; and provided further, that \$48,000 shall be expended for the flood control activities undertaken by the Thames River Valley communities of Massachusetts in conjunction with the state of Connecticut 2,167,275",

In item 2800-0401 by striking out the figures "750,000" and inserting in place thereof the figures "950,000",

By striking out item 2800-0500 and inserting in place thereof the following item:

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"2800-0500 For the freshwater and saltwater beaches under the control of the department of conservation and recreation; provided, that all beaches shall remain open and staffed from Memorial Day through Labor Day; provided further, that the beaches shall have their full amount of required maintenance and upkeep; provided further, that no less than \$35,000 shall be expended for Nahant Beach Reservation; provided further, that not less than \$150,000 be allocated for maintaining, trash removal, maintenance and up keep for Nantasket Beach in the town of Hull; provided further, that the department shall file a report with the house and senate committees on ways and means not later than December 15, 2006 that shall include, but not be limited to, the following: (1) the amount of funding provided to each beach under the control of the department in fiscal years 2004, 2005 and 2006; (2) a breakdown of how the funds were spent for each beach and the services that were provided; (3) the items of appropriation used to provide funding; (4) the amount of funding to be provided for each beach in fiscal year 2007 from this item; and (5) a list of the services or materials for each beach that will be provided from this item1,485,000",

By striking out item 2810-0100 and inserting in place thereof the following item:

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"2810-0100 For the operations of the division of state parks and recreation; provided, that funds appropriated in this item shall be used to operate all of the division's parks, heritage state parks, reservations, campgrounds, beaches and pools and for the oversight of rinks, to protect and manage the division's lands and natural resources including the forest and parks conservation services and the bureau of forestry development; provided further, that no funds from this item shall be made available for payment to true seasonal employees; provided further, that the department may issue grants to public and nonpublic entities from this item; provided further, that the Bellegrade boat house in Lowell shall not be closed; provided further, that not less than \$200,000 shall be expended for Watson's Pond State Park in Taunton for recreation purposes; that not less than \$400,000 shall be expended for the maintenance of the community center at Greenleaf Park in the City of Springfield; provided further, that not less than \$10,000 shall be provided to the Wheelocksville Park Association; provided further, that \$100,000 shall be expended for a public safety program in the city of Woburn; provided further, that no less than \$500,000 shall be expended for a public safety grant on Morrissey Boulevard in Dorchester; provided further, that not less than \$100,000 shall be expended for the electric tide gate controls at the DCR owned Wollaston Beach; provided further, that \$650,000 shall be expended for the replacement of outdated motor vehicle equipment; provided further, that the department shall file a report with the house and senate committees on ways and means not later than December 20, 2006 on the vehicles that are to be replaced; provided further, that said report shall include, but not be limited to, the following: a detailed list of every vehicle that was replaced that includes (1) the age of each vehicle that was replaced, (2) the type of each vehicle that was replaced, (3) a list of any vehicles that are scheduled to be replaced; and provided further, that the level of funding for the beaches and pools from this item in fiscal year 2007 shall not be reduced

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from fiscal year 2005 22,127,890",
By striking out item 2820-0100 and inserting in place
thereof the following item:

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"2820-0100 For the administration, operation and maintenance of the division of urban parks and recreation, including for the maintenance, operation and related costs of the parkways, boulevards, roadways, bridges and related appurtenances under the care, custody and control of the division, flood control activities of the division, purchase of all necessary supplies and related equipment, and the civilianization of crossing guards located at division intersections where state police previously performed such duties; provided further, that no less than \$50,000 shall be expended for the maintenance of Red Rock Park on Lynn Shore Drive in the town of Lynn; provided further, that the parkways, boulevards, roadways, bridges and related appurtenances under the care and custody of the metropolitan district commission in fiscal year 2003 shall remain solely under the jurisdiction, custody and care of the division of urban parks and recreation; provided further, that not less than \$50,000 shall be expended for remediation of hazardous conditions at the former Nike/Ajax Missile launch site, "so-called", in the town of Randolph, including but not limited to, removal of silos and buildings and to secure the site; provided further, that \$50,000 be expended for school zone safety in the town of Wakefield; provided further, that not less than \$25,000 shall be expended for Loker Park in Natick; and provided further that \$40,000 shall be expended for aquatic nuisance control in Sluice Pond and Flax Pond in the city of Lynn; provided further that not less than \$60,000 be expended for irrigation program in the town of Pembroke; provided further, that not less than \$450,000 shall be expended for the city of Lowell; provided further, that not less than \$225,000 shall be expended for maintenance and horticulturalist personnel for the southwest corridor park; provided further, that \$320,000 shall be expended for the Boston Parks Department; provided further, that \$25,000 shall be expended for aquatic weed control for Upper Mystic Lake in Winchester; provided further, that \$15,000 be expended for aquatic weed control for Winter Pond in Winchester; provided, further, that not less

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than \$250,000 shall be expended for the Echo Bridge safety program in the city of Newton and town of Needham; provided further, that not less than \$250,000 shall be expended for the maintenance of a linked trail system for local and state parks along the Back River in the towns of Weymouth and Hingham; provided further, that not less than \$100,000 shall be expended for the operations of Milford recreation program; provided further, that not less than \$75,000 shall be expended for maintenance and management of the Neponset Reservation including Pope John Paul Park and the Multiuse Trail in Dorchester and Milton; provided further, that not less than \$3,902 shall be expended on additional school crossing guards for the corner of Mystic avenue and Shore drive in the city of Somerville; provided further that not less than \$75,000 shall be expended for a study of pedestrian safety issues at the intersection of Route 16 and Rindge Avenue in Cambridge, and for refurbishment of the lighting at said intersection, including both pedestrian traffic lights and the general lighting at the Parkway; provided further, that the school crossing guards for the corner of Mystic avenue and Shore drive in the city of Somerville shall be named the Senator Charles E. Shannon Crossing Guard Corps; provided further, that \$75,000 shall be expended for staffing on the Esplanade in Boston; provided further, that not less than \$297,000 shall be expended for the maintenance and operation of the James Michael Curley Recreation Center in Boston; provided further, that not less than \$100,000 shall be allocated for an environmental study administered by the commissioner of the department of conservation and recreation to determine the actions necessary to restore complete environmental safety to the General Services Administration property on Greenough Boulevard in Watertown; provided further, that no funds from this item shall be made available for payment to true seasonal employees; and provided further, that the level of funding for the beaches and pools from this item in fiscal year 2007 shall not be reduced from fiscal year 2005

..... 25,449,207",

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In item 7002-0012 by adding at the end thereof the following: "; provided further that funds not expended by October 1, 2007 shall be re-allocated to existing year-round youth employment programs; provided further that not less than \$100,000 shall be expended an at-risk juvenile program in Salisbury" and, in said item, by striking out the figures "4,200,000" and inserting in place thereof the figures "4,700,000",

In item 7002-0100 by adding at the end thereof the following: "; provided further, that not less than \$35,000 shall be expended for a Job Vacancy Survey" and, in said item, by striking out the figures "133,686," and inserting in place thereof the figures "168,656",

By striking out item 7003-0702 and inserting in place thereof the following item:

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"7003-0702 For grants to be administered by the department of workforce development; provided, that not less than \$500,000 shall be expended for Commonwealth Corporation; provided further, that not less than \$100,000 shall be provided to the Workforce Investment Association of MA, Inc. for the purpose of assisting administrators, career center directors, and fiscal agents; provided further, that not less than \$250,000 shall be expended for the Acre Revitalization Project or the Jackson-Appleton-Middlesex plan in the City of Lowell; provided further, that \$100,000 shall be expended for the boston health care and research training institute; provided further, that not less than \$50,000 shall be expended for the employee involvement and ownership program; provided further that not less than \$200,000 shall be expended for South Eastern Economic Development; Provided further, that not less than \$50,000 shall be expended for a human service academy pilot program to be operated by People Inc. of Fall River; provided further, that not less than \$250,000 shall be expended for the Charles E. Shannon Jr. At-Risk Youth Project, operated by the Center for Teen Empowerment Inc., for the community of Somerville; provided further that not less than \$75,000 shall be expended to the Partners for a Healthier Community to implement the Springfield Health Careers Partnership Program, so-called, in the City of Springfield; provided further that not less than \$100,000 shall be expended to Inquilinos Boricuas en Accion (IBA) for the Pathways to Technology Initiative; provided further that not less than \$105,000 shall be expended to the E- Team Machinist Program in the city of Lynn; provided further that not less than \$200,000 be expended for the Massachusetts Career Development Institute located in Springfield; provided further that \$150,000 shall be expended for the supportive housing program in the city of Fall River; provided further that not less than \$150,000 shall be expended for a Farm Workers' Council; provided further that not less than \$250,000 shall be expended to fund need based workforce development related to continuing education grants administered by the Access Program of

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Boston; provided further, that \$100,000 shall be expended for the Boston Health Care and Research Training Institute; provided further, that not less than \$100,000 shall be expended for Centro Latino de Chelsea to provide workforce training, educational services, and other transitional services in the city of Chelsea; provided further, that not less than \$139,500 shall be expended on Just-a-Start Corporation; that not less than \$250,000 shall be expended for the Center for Women & Enterprise; provided further, that not less than \$250,000 shall be expended to support the Technology Initiative of the Metro South/West Regional Employment Board for the development of the Technology Centers of Excellence serving the region's youth and business but the grant shall require a 200 per cent match from the private sector; provided that not less than \$100,000 shall be expended for both the Reunion Center in the city of Easthampton and the Easthampton Youth Entrepreneurship project; provided further, that not less than \$135,000 shall be expended for incumbent worker coordinators at the Massachusetts AFL-CIO; provided further, that not less than \$195,000 shall be expended for 3 full-time equivalent rapid response labor specialists at the Massachusetts AFL-CIO; provided further that not less than \$200,000 shall be expended for the Women's Career Mentoring Program operated by the Jewish Vocational Service's Center for Careers and Lifelong Learning and The Women's Union Woman to Woman Program; provided further that not less than \$50,000 shall be expended for the Allston-Brighton Vocational Center (VAC) for the continued operation of a job training and placement center; provided further, that not less than \$50,000 be expended for the Lower Pioneer Valley Education Collaborative; provided further, that not less than \$60,000 shall be expended to continue the economic development project operated by the Arlington Neighborhood Association in the city of Lawrence; provided further that not less than \$100,000 shall be expended for the Springfield Technical Assistance Program to be operated by the Affiliated Chambers of Commerce of Greater Springfield; provided further, that not less

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than \$200,000 shall be expended for the Western Massachusetts Enterprise fund; provided further, that not less than \$500,000 shall be expended for education, career development and employment service programs operated by the Urban League of Massachusetts; provided further, that not less than \$7,500 shall be provided for the Bonnie Brae Camp in the city of Gardner; provided further, that not less than \$900,000 shall be expended on the Massachusetts Service Alliance for the operation of the youth, senior service and conservation corps program; provided further, that not less than \$100,000 shall be expended to provide employment, training and job placement by Year Up of Boston 5,877,000

Workforce Training Fund 100.0%",

In item 7003-0803 by adding at the end thereof the following: "; and provided that not less than \$200,000 be expended to the Central Massachusetts Regional Employment Board for the operations one-stop career centers",

In item 7007-0500 by striking out the figures "500,000" and inserting in place thereof the figures "700,000",

By inserting after item 7007-0500 the following item:

"7007-0515 For economic development grants to be administered by the department of business and technology; provided, that \$250,000 shall be expended for a grant to the south shore tri-town development corporation established pursuant to chapter 301 of the acts of 1998; provided further, that \$350,000 shall be expended to the Massachusetts Alliance for Economic Development for the purpose of enhancing economic development related services, including but not limited to implementation of a statewide online site finder to assist business growth ... 600,000",

In item 7007-0800 by striking out the figures "1,179,286" and inserting in place thereof the figures "1,204,286",

By striking out item 7007-0900 and inserting in place thereof the following item:

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"7007-0900 For the operation and administration of the office of travel and tourism and for grants to public and private nonprofit local and regional organizations to be awarded by the Massachusetts office of travel and tourism for tourism promotion; provided, that performance-based standards shall be incorporated in all contracts executed by said office for the procurement of tourism marketing and advertising services; provided further, that the organizations shall be required, as a condition of receiving a grant, to submit a total operating budget which identifies each source and use of operating and capital funds; provided further, that said office shall expend not less than \$150,000 for the Sturbridge Heritage and Preservation Partnership; provided further, that not less than \$100,000 shall be expended for Centro Las Americas to provide workforce training, educational services and other transitional services in the city of Worcester; provided further, that said grants shall not replace or supplant funding otherwise available to said centers from local chambers of commerce, regional tourist councils, and other public or private funding sources; provided further, that \$15,000 shall be expended for the Sgt. 1st Class Robert E. Rooney project in the town of Plymouth; provided further, that not less than \$50,000 shall be expended for the Louis D. Brown Peace Institute; provided further, that 30,000 in matching funds be expended to the town of Avon for a feasibility study of municipal buildings; provided further that not less than \$75,000 for a public safety grant in the Forest Park area in the city of Springfield; provided further, that not less than \$100,000 shall be expended for a elder growth program in Saugus; provided further, that not less than \$8,000 shall be expended for a recreational program in the town of Freetown; provided further, that not less than \$35,000 shall be provided to the Bellingham historical commission renovations program; provided further that not less than \$50,000 shall be expended for TheatreZone Chelsea; provided further, that \$15,000 shall be expended for the Lance Corporal Jeffrey C. Burgess project in the town of Plymouth;

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provided that not less than \$50,000 shall be expended for the Old Firehouse Museum in South Hadley; provided further that \$100,000 shall be expended for an economic development project in the town of Braintree; provided further, that not less than \$150,000 shall be expended for a child safety program in the town of Winthrop; provided further, that not less than \$40,000 shall be expended from this item for the purpose of the operation and the promotion of the Ipswich Shuttle Bus service; provided further, that not less than \$125,000 shall be expended for New England Puerto Rican Association; provided further, that \$75,000 shall be expended for the Massachusetts Advocates for the Arts, Sciences, and Humanities; provided further that not less than \$25,000 shall be expended for the economic development project at the Salisbury Chamber of Commerce; provided further, that not less than \$25,000, subject to 100 per cent funding match, shall be made available to the Jacob's Pillow Dance Festival; provided further that not less than \$500,000 be expended on the open wide health pilot program in Hampden county; provided further, that \$100,000 shall be expended for the Old Provincial State House; provided further, that not less than \$250,000 shall be expended for the SouthCoast Development Partnership for the purposes of regional tourism and economic development; provided further that not less than \$50,000 shall be expended for the Town of Plympton's Tercentennial Celebrations; provided further, that not less than \$200,000 shall be expended for a grant for From the Top, Inc; provided that \$35,000 shall be expended for a public safety grant in the town of Berlin; provided further that \$150,000 for child safety grants in the town of Attleboro; provided further that not less than \$200,000 shall be expended for the Spirit of Springfield; provided further, that \$100,000 shall be expended for a public safety program in the town of Dudley; provided further that not less than \$60,000 shall be expended for the Newburyport initiative to attract new businesses and industries; provided further, that \$100,000 shall be expended for the North End Visitor Center; provided further, that no

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less than \$75,000 shall be expended for the Foxborough geriatric program; provided further, that said office shall grant not less than \$5,000,000 to the Massachusetts International Marketing Partnership Incorporated, the business entity awarded the contract pursuant to section 60 of chapter 141 of the acts of 2003 for the express purpose of implementing the strategic marketing and promotional program to recover the commonwealth's lost international market share; provided further that not less than \$25,000 shall be expended for the Central Quabbin Area Tourism and Visitors Center; provided further, that not less than \$150,000 shall be expended for a child safety program in the city of Revere; provided further that not less than \$25,000 shall be expended for the Phillipston historical society; provided further, that \$25,000 shall be expended for the Reagle Players of Waltham; provided further that, not less than \$100,000 shall be expended for Crane Beach access in the town of Ipswich; provided further, that \$25,000 shall be expended for the draper complex reuse committee in Hopedale; provided further, that not less than \$1,000,000 shall be expended in addition to the amount spent in fiscal year 2006 for the purpose of out of state advertising to promote the Commonwealth as a travel destination and to increase tourism; provided further, that not less than \$150,000 shall be expended for the Commonwealth Shakespeare Company, a program of The Wang Center for the Performing Arts, for production support for performances offered for free to the public and for a pilot program to expand performances to Springfield and other cities; provided further, that not less than \$200,000 shall be expended for the Bay State Games; provided further, that not less than \$100,000 shall be expended for a matching grant to the New England Aquarium; provided further, that \$30,000 shall be expended for the Roche family program in West Roxbury; provided further, that not less than \$300,000 shall be provided for an economic development project at the Elco Dress Factory in New Bedford; provided further, that not less than \$100,000 shall be expended for The Berkshire Museum, in the City

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of Pittsfield; provided further, that \$100,000 shall be provided as a matching grant for the Mass Central Rail Trail Churnock Hill Rd. Tunnel Project, located in Rutland; provided further, that not less than \$25,000 be expended for improvements in the Prospect Hill Historic District in the City of Lawrence; provided further, that not less than \$50,000 shall be expended as a one time grant to Destination Salem in the city of Salem for the promotion of regional and local tourism; provided further, that not less than \$25,000 be expended for the Route 16/Hopedale Street public safety program in Hopedale; provided further, that not less than \$100,000 shall be expended for the Buzzards Bay Village Association to develop and implement a transportation and communication infrastructure plan for Main Street in Buzzards Bay; provided further, that not less than \$100,000 shall be expended for the Western Massachusetts Economic Development Council for tourism marketing and advertising purposes; provided further, that no less than \$75,000 shall be expended for the Captain Gerald F. DeConto program in Sandwich; provided further, that not less than \$200,000 shall be provided to the Mahaiwe Theatre, in the Town of Great Barrington; provided further, that not less than \$500,000 shall be expended for the Mass Tech Park Corp - Berkshire Wireless Program; provided further, that not less than \$50,000 shall be expended for the Russian Community Association in Springfield; provided further that no less than \$450,000 shall be expended for the Wilmington Historical Commission; provided further, that not less than \$25,000 shall be made available to Woburn for a safety grant in the Walnut Street area in downtown Woburn; provided further, that not less than \$185,000 shall be expended for the International Trade Assistance Center in Fall River; provided further, that not less than \$100,000 shall be expended for the Merrimack Repertory Theatre; provided further, that not less than \$200,000 shall be appropriated for the 50th Anniversary celebration of the Mayflower II in Plymouth; provided further, that not less than \$20,000 shall be made available for an energy

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efficiency program in the town of North Attleboro; provided further, that not less than \$75,000 shall be expended for the rehabilitation and restoration of the Samuel Harrison House in the City of Pittsfield; provided further, that not less than \$50,000 shall be expended for the purposes of the operation of the programs of the Riverside Theatre Works, an organization located in the Hyde Park section of the City of Boston; provided further, that not less than \$50,000 shall be expended for the Attleboro Museum; provided further, not less than \$50,000 shall be provided for the restoration and repairs of the Historical Asa Waters Mansion in the Town of Millbury; provided further, that not less than \$300,000 shall be expended for the Merrimack Valley Economic Development Council; provided further, that not less than \$100,000 shall be expended for the Cape Cod Economic Development Council; provided further, that \$700,000 shall be expended for the Massachusetts Cultural Council; provided further, that not less than \$100,000 shall be expended for the Cape Cod Maritime Museum located in Hyannis; provided further, that not less than \$250,000 shall be expended for the 495/MetroWest Corridor Partnership; provided further, that not less than \$100,000 be expended for the Lake Street Recreation project in the Town of Shrewsbury; provided further, that not less than \$100,000 shall be expended for the Russian Community Association of Massachusetts (RCAM) in Boston; provided further, that not less than \$1,000,000 shall be made available through a grant application process established by the office of travel and tourism to offset deficits that may occur during fiscal year 2007 for the highway information centers operating year round on state highways and federally-assisted highways, and the visitor information centers on Boston Common and the Prudential Center, both in the city of Boston and the Adams Visitor Center in Adams; provided further, that not less than \$50,000 shall be expended for the New Bedford Art Museum for tourism production; provided further, that not less than \$1,250,000 of the amount appropriated herein shall be expended for the operation and

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administration of the Massachusetts Sports and Entertainment Commission, provided, however, that the Massachusetts Sports and Entertainment Commission shall be the official and lead agency to facilitate and attract major sports events and championships in the Commonwealth and provided further that the Massachusetts Sports and Entertainment Commission shall establish a division within the Commission which shall be the official and lead agency to facilitate motion picture production and development within the Commonwealth; provided further, that not less than \$50,000 shall be expended for the Johnny Appleseed Visitors' Center; provided further, that not less than \$50,000 be expended by the town of Berkley for environmental restoration and resources grant for the use of the Berkley Highway Department and Tree Department; provided further, that not less than \$50,000 shall be allocated for the Methuen geriatric safety program; provided further, that not less than \$100,000 shall be expended for the Longmeadow community festival; provided further that not less than \$185,000 shall be obligated for the Schooner Ernestina Commission; provided further, that not less than \$50,000 shall be directed to Arts Alive of Falmouth for support of film in the Cape Code area; provided further, that \$200,000 shall be expended for the operation of the Massachusetts Fisheries Recovery Commission; provided further that \$75,000 be expended on the Martin Luther King Jr. Business Empowerment Center in the city of Worcester

..... 24,935,852

Tourism Fund 100.0%",

In item 7007-0951 by adding at the end thereof the following: "; provided further that not less than \$300,000 shall be expended on a matching program to encourage private and corporate donations to support the Franklin Park Zoo" and, in said item, by striking out the figures "6,050,000" and inserting in place thereof the figures "6,350,000", and

By striking out item 7007-1000 and inserting in place thereof the following item:

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"7007-1000 For assistance to local tourist councils under section 14 of chapter 23A of the General Laws; provided, that notwithstanding any general or special law, regulation or rule to the contrary, each of the councils may expend an amount not to exceed 20 per cent of the funds appropriated in this item for the cost of administrative services; provided further, that \$75,000 shall be expended for the Cultural Center of Cape Cod 8,000,000 Tourism Fund 100.0%"; and

By adding at the end thereof the following section:

"SECTION 238. Section 36 of chapter 45 of the acts of 2005 is hereby amended in the last paragraph by striking out the word 'April 30' and inserting in place thereof the following:- December 31."

After debate on the question on adoption of the amendments, Ms. Callahan of Sutton and other members of the House moved that they be amended by adding the following:

"In item 7007-0900 by adding at the end thereof the following:- ; provided further, that not less than \$150,000 shall be provided to the Bellingham Historical Commission Renovations Program."

After remarks the further amendment was rejected.

Messrs. Fallon of Malden and Donato of Medford then moved that the amendments be amended by adding the following:

"In item 2820-0100 by adding at the end thereof the following: ' ; provided further that \$450,000 shall be expended to reimburse the City of Malden for the cleaning of the Malden YMCA site located across from the Holland Pool' and, in said item, by striking out the figures '22,913,305' and inserting in place thereof the figures:- 23,363,305."

After remarks the further amendment was rejected.

Mr. Casey of Winchester and other members of the House then moved that the amendments be amended by adding the following:

"In item 2800-0100, in line 25, by inserting after the date 'February 14, 2007' the following:- ; provided further, notwithstanding section 54 of chapter 7 of the General Laws, the division of capital asset management and maintenance, on behalf of and in consultation with the department of conservation and recreation, is hereby authorized, notwithstanding sections 40E to 40I, inclusive, of chapter 7 of the General Laws and using such competitive proposal process as the commissioner of said division deems necessary or appropriate, to lease and enter into other agreements, for terms not to exceed 20

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years, to or with 1 or more offerors who participate in that process, for 1 or more skating rinks, so as to provide for the continued use, operation, maintenance, repair and improvement of the following state-owned buildings and facilities together with the land and appurtenances associated therewith, comprising the following ice skating rinks and facilities of said department: Connell memorial rink, Weymouth; Flynn memorial rink, Medford; LoConte memorial rink, Medford; Shea memorial rink, Quincy; and Veterans memorial Rink, Somerville; provided further, that there shall be an option for renewal or extension for operations and maintenance services not exceeding an additional 5 years, and that such renewal or extension shall be at the discretion of the division of capital asset management and maintenance in accordance with the original contract terms and conditions or contract terms and conditions more favorable to the state; provided further, all leases must contain a provision that requires the lessee to carry comprehensive general liability insurance with the commonwealth named as a co-insured, protecting the commonwealth against all personal injury or property damage within the rink and on the land during the term of the lease; provided further, that such leases and other agreements shall be on terms acceptable to the commissioner of the division of capital asset management and maintenance after consultation with the commissioner of the department of conservation and recreation, and, notwithstanding any general or special law to the contrary, shall provide for the lessees to manage, operate, improve, repair and maintain the properties; provided further, that any such leases or other arrangements requiring capital improvements to be made to any buildings or surface areas shall include a description of the required capital improvements and, at a minimum, performance specifications; provided further, that such leases and other agreements shall provide that any benefits to the commonwealth and the costs of improvements and repairs made to the properties provided by the tenants or the recipients of the properties shall be taken into account as part of the consideration for such leases or other agreements; provided further, that the division, in consultation with the department, shall structure each lease or other agreement to minimize disturbance of the current rights of any tenants who may currently use any part of the rink or adjoining facilities, whether under a written lease or other arrangement; provided further, that all consideration received from the leases or other agreements shall be payable to the department of conservation and recreation for deposit into the General

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Fund, and that the lessees of said properties shall bear all costs deemed necessary or appropriate by the commissioner of the division of capital asset management and maintenance for the transaction, including without limitation, all costs for legal work, survey, title and the preparation of plans and specifications; provided further, that the division, in consultation with the department, when evaluating proposals, shall give preference to a youth-oriented, non-profit, long-standing tenant in the municipality where the rink or rinks are located or cities and towns adjacent thereto, provided that the proposal complies with the ice time allocation guidelines outlined in chapter 149 of the acts of 2004; provided further, that the division of capital asset management and maintenance, in consultation with and on behalf of the department of conservation and recreation, shall solicit proposals through a request for proposals which shall include key contractual terms and conditions to be incorporated into the contract, including but not limited to (1) a comprehensive list of all rinks operated by the responsive bidder or offeror in the last four years, (2) other facilities management or experience of the responsive bidder or offeror, (3) other skating or hockey management experience of the responsive bidder or offeror, (4) a residential discount program, (5) reservation policies, (6) proposed reasonable rates that will ensure continued public access, (7) required financial audits, (8) policies to encourage use of the rink by persons of all races and nationalities, (9) safety and security plans, (10) seasonal opening and closing dates, (11) hours of operation and (12) how the operator will satisfy the following ice time allocation guidelines; provided further, that ice time at rinks under the jurisdiction of the division of urban parks and recreation shall be allocated to user groups in the following priority order: general public skating; non-profit youth groups; school hockey; youth groups other than non-profit youth groups; and adult organizations or informal groups, and that ice time may be allocated at the discretion of the operator, provided that general public skating shall be booked at a minimum of 12 hours per week; with a range of times and days which reasonably allow for public skaters of all ages to participate in some public skating sessions; provided further, that every effort shall be made to balance the ice allocation needs of long-established youth organizations and newly formed youth organizations in a manner that provides equal opportunity and equal access for youths of each gender; provided further, that the inspector general shall review and approve any request for proposal issued by the

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division before issuance; provided further, that the failure of any city or town to apply for pre-qualification as set forth below shall not prohibit that city or town from bidding under this section; provided further, that before the division, in consultation with the department, sends out any request for proposals under this section, the division shall hold open a pre-qualification period of at least one month for cities and towns, or a partnership of municipalities which share geographic boundaries as long the subject rink or rinks is located within the geographic area of the municipalities comprising the partnership, that desire to bid on rinks that are listed in this section and are located within the city or town; provided further, that any city or town or such partnership of municipalities that desires to lease a rink under this section may submit materials for prequalification, and that such pre-qualification may include, but may not be limited to, said city's or town's or said partnership's ability to finance the capital improvements determined to be necessary at each rink listed in this section by the division and to manage, operate and maintain the properties; provided further, that the division, in consultation with the department, shall determine whether a city or town or partnership is prequalified within 15 days of the end of the prequalification period. If a city or town or partnership is determined to be pre-qualified, that city or town or partnership shall be awarded the lease for that rink under the terms and conditions set forth in subsection (a) and the first paragraph of subsection (b); provided further, that if a city or town or partnership is determined to be pre-qualified, the city or town or partnership shall pay nominal consideration for a lease subject to the required capital improvements, performance specifications, and other prequalification requirements and terms of the division and submitted proposal; provided further, that the length of such lease shall be determined between the division and said city or town; provided further, that it shall be a mandatory term of any request for proposals issued by the commissioner and of any contract entered into by the commonwealth with any party regarding the subject matter of this section that any party which has entered into a contract pursuant to this section with the commonwealth shall require, in order to maintain stable and productive labor relations and to avoid interruption of the operation of the rinks and to preserve the safety and environmental conditions of those rinks, that all employees currently working on the operation and maintenance of the rinks be offered employment by any party entering into a contract pursuant to this section;

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provided further, that upon the execution of any agreements authorized by this section, the department of conservation and recreation shall reassign or relocate those employees who do not accept employment with the lessor, to comparable positions within the department subject to applicable collective bargaining agreements; provided further, that the provisions of any general or special law or rule or regulation relating to the advertising, bidding or award of contracts, to the procurement of services or to the construction and design of improvements shall not be applicable to any selected offeror which is awarded a contract pursuant to this section, except as provided in this section; provided further, that subsection (b) of section 279 of chapter 149 of the Acts of 2004, is hereby amended by striking out the second paragraph and inserting in place thereof following paragraph:-

No proposal to lease the Allied Veterans rink in the city of Everett shall be considered responsive, nor shall it be accepted, without a proposal by the same offeror to lease the Cronin rink in the city of Revere, except that a proposal by the city of Everett to lease the Allied Veterans rink, without a proposal to lease the Cronin rink, shall be considered responsive and may be accepted."

After remarks on the question on adoption of the further amendment, Mr. Peterson of Grafton asked for a count of the House to ascertain if a quorum was present. The Chair (Mr. Petrolati of Ludlow), having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 153 members were recorded as being in attendance.

Quorum.

Quorum, --
yea and nay
No. 407.

{See Yea and Nay No. 407 in Supplement.}

Therefore a quorum was present.

After debate on the question on adoption of the further amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Casey of Winchester; and on the roll call 23 members voted in the affirmative and 129 in the negative.

{See Yea and Nay No. 408 in Supplement.}

Therefore the further amendment was rejected.

Further
amendment
rejected, -yea
and nay No.
408.

On the question on adoption of the amendments, the sense of the House was taken by yeas and nays, at the request of Mr. Smizik of Brookline; and on the roll call 151 members voted in the affirmative and 1 in the negative.

{See Yea and Nay No. 409 in Supplement.}

Amendments
adopted, -yea
and nay No.
409.

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Therefore the amendments were adopted.

Mr. DeLeo of Winthrop and other members of the House then moved that the bill be amended in section 2, as follows:

By striking out item 1108-5200 and inserting in place thereof the following item:

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"1108-5200 For the commonwealth's share of the group insurance premium and plan costs incurred in fiscal year 2007; provided, that notwithstanding any general or special law to the contrary, funds in this item shall not be available during the accounts-payable period of fiscal year 2007, and any unexpended balance in this item shall revert to the General Fund on June 30, 2007; provided further, that the secretary of administration and finance shall charge the division of unemployment assistance and other departments, authorities, agencies and divisions, which have federal or other funds allocated to them for this purpose, for that portion of insurance premiums and plan costs as the secretary determines should be borne by such funds, and shall notify the comptroller of the amounts to be transferred, after similar determination, from the several state or other funds and amounts received in payment of all such charges or such transfers shall be credited to the General Fund; provided further, that prior year costs incurred by self insured plans shall be funded from this item; provided further, that the group insurance commission shall report quarterly to the house and senate committees on ways and means the amounts expended from this item for prior year costs; provided further, that the group insurance commission shall obtain reimbursement for premium and administrative expenses from other agencies and authorities not funded by state appropriation; provided further, that the secretary of administration and finance may charge all agencies for the commonwealth's share of the health insurance costs incurred on behalf of any employees of those agencies who are on leave of absence for a period of more than 1 year; provided further, that the amounts received in payment for the charges shall be credited to the General Fund; provided further, that notwithstanding section 26 of chapter 29 of the General Laws, the commission may negotiate, purchase and execute contracts before July 1 of each year for policies of group insurance as authorized by chapter 32A of the General Laws; provided further, that notwithstanding chapter 150E of the General

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Laws and as provided in section 8 of chapter 32A and for the purposes of section 14 of chapter 32A, the commonwealth's share of the group insurance premium for state employees who have retired before July 1, 1994 shall be 90 per cent and the commonwealth's share of the group insurance premium for state employees who have retired on or after July 1, 1994 shall be 85 per cent; provided further, that the commonwealth's share of the group insurance premium for active employees upon retirement shall be 85 per cent; provided further, that notwithstanding section 8 of chapter 32A of the General Laws, the commonwealth's share of the premiums for active state employees and their dependents who were hired before July 1, 2003 shall be 85 per cent of the premiums and rates; provided further, that the commonwealth's share of the premiums for active state employees and their dependents who were hired after June 30, 2003 shall be 80 per cent of the premiums and rates; and provided further, that the commission shall notify the house and senate committees on ways and means by March 1 of each year of the cost of the commonwealth's projected share of group insurance premiums for the next fiscal year 976,037,643",

In item 1120-4005 by striking out the figures "1,213,923" and inserting in place thereof the figures "1,275,012",

In item 6000-0100 by adding at the end thereof the following: "; provided further, that \$50,000 shall be expended for the purpose of a grant to the Northampton Youth and Community Rowing Association" and, in said item, by striking out the figures "5,027,253" and inserting in place thereof the figures "5,077,253",

In item 6005-0015 by striking out the figures "51,437,200" and inserting in place thereof the figures "51,937,200",

By striking out item 6010-0001 and inserting in place thereof the following item:

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"6010-0001 For personnel costs of the department of highways, for certain administrative and engineering expenses and equipment of the highways commission, the office of the commissioner of highways, the division of administrative services, highway engineering, highway maintenance, highway construction, the outdoor advertising board, district and other highway activity offices, materials, supplies, fleet maintenance and equipment, general maintenance and equipment and the maintenance and operation of state highways and bridges, and for the costs associated with the global positioning system program; provided, that no expenditures shall be made from the AA object code; provided further, that notwithstanding any general or special law to the contrary, the department may expend from capital authorizations amounts necessary to cover operational costs of the department in excess of amounts appropriated in this item to ensure that adequate staffing levels are maintained to support the services and programs offered by the department; provided further, that the department shall file quarterly reports with the house and senate committees on ways and means detailing all amounts expended on bond-funded capital projects under the jurisdiction of the department, and for all administrative and personnel expenses of the department charged to such bonds; provided further, that the reports shall be filed not later than 30 days after the end of each quarter; provided further, that notwithstanding any administrative bulletin or general or special law to the contrary, the department shall not pay any fees charged for the leasing or maintenance of vehicles to the division of operational services; provided 30 36A of chapter further, that the department shall not be subject to section 7 of the General Laws, but shall 22 of chapter of the General Laws and section submit to the secretary of transportation for approval requests to repair 22 of said vehicles costing in excess of the limit set forth in said section 7; provided further, that \$30,000 shall be expended for a highway traffic study in Mendon; provided further, that the costs of routine highway maintenance chapter provided

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by private and union workers in contract areas 1A, 1B, 2A, 2B, 3A, 3B, 3C, 4A, 4B, 4C, 4D, 5A, 5B, and 5C and for costs associated with police services and overtime within the areas shall be paid from this item; provided further, that \$90,000 shall be made available for all contractual contingency costs associated with highway maintenance in said areas; provided further, that not less than \$25,000 shall be expended for a transportation pilot program in Hopedale; and provided further, that the department shall submit quarterly reports to the house and senate committees on ways and means detailing for each contract area expenditures for the costs of contractual contingency fees, personnel, police services, overtime, materials, and vehicle repairs 17,925,022

Highway Fund 100.0%",

By striking out item 7004-0099 and inserting in place thereof the following item:

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"7004-0099 For the operation of the department of housing and community development; provided, that notwithstanding any general or special law to the contrary, the department may make expenditures for the purposes of the department against federal grants for certain direct and indirect costs pursuant to a cost overhead allocation plan approved by the comptroller; provided further, that the comptroller shall maintain an account on the Massachusetts management accounting and reporting system for the purpose of making such expenditures; provided further, that expenditures made against the account shall not be subject to appropriation and may include the cost of personnel; provided further, that notwithstanding any general or special law, rule, or regulation to the contrary, the department of housing and community development may conduct annual verifications of household income levels based upon state tax returns for the purposes of administering the state and federal housing subsidy programs funded in items 7004-9005, 7004-9009, 7004-9014, 7004-9019, 7004-9020, 7004-9024, 7004-9030 and 7004-9033; provided further, that as a condition of eligibility or continued occupancy by an applicant or a tenant, said department may require disclosure of the social security number of an applicant or tenant and members of such applicant's or tenant's household for use in verification of income eligibility; provided further, that said department may deny or terminate participation in subsidy programs for failure by an applicant or a tenant to provide a social security number for use in verification of income eligibility; provided further, that said department may also consult with the department of revenue, the department of transitional assistance or any other state or federal agency which it deems necessary to conduct such income verification; provided further, that notwithstanding the provisions of any general or special law to the contrary, such state agencies shall consult and cooperate with said department and furnish any information in the possession of said agencies including, but not limited to, tax returns and applications for public assistance or

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financial aid; provided further, that for the purposes of conducting such income verification, the director of said department may enter into an interdepartmental service agreement with the commissioner of revenue to utilize the department of revenue's wage reporting and bank match system for the purpose of verifying the income and eligibility of participants in such federally assisted housing programs and that of members of the participants' households; provided further, that for the purposes of clarification only, notwithstanding the provisions of section 12 of chapter 490 of the acts of 1980, said department may authorize neighborhood housing services corporations to retain, re-assign, and reloan funds received in repayment of loans made pursuant to the neighborhood housing services rehabilitation program; provided further, that not less than \$20,000 shall be allocated for the Methuen - Arlington Neighborhood, Inc.; provided further that not less than \$100,000 shall be expended to the Springfield Neighborhood Housing Services, Inc., so-called, in Springfield to prevent foreclosures, assist first-time home buyers, and to create jobs; provided further, that not less than \$100,000 shall be expended for the Safe Neighborhood Initiative Pilot Program in the Grove Hall area of Roxbury and Dorchester; provided further, that not less than \$25,000 be expended for Marlborough Community Development Corporation; provided further, that not less than \$10,000 shall be expended for the Turning Point Day Resource Center for the Homeless in the town of Wareham; provided further, that not less than \$100,000 shall be expended for the Indian Orchard Main Street Partnership; provided further, that not less than \$125,000 shall be expended for the Hungry Hill Development Corporation in the city of Springfield; provided further that \$61,200 shall be expended for the Worcester housing program; provided further, that not less than \$25,000 shall be expended for the Allston-Brighton Community Development Corporation's continued operation of a grant program to enhance housing quality standards; provided further, that not less than \$75,000 shall be expended

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for the continued operation of computer technology centers at the Commonwealth Housing Development, the Jackson Mann Community Center and the Power Up Center at Brighton High School; provided further, that \$100,000 shall be expended for ABCD North End elderly program; provided further, that not less than \$100,000 shall be expended for the Pleasant Street Neighborhood Network Center in Worcester; provided further, that not less than \$100,000 shall be expended for Neighbors in Need in Lawrence; provided further, that not less than \$53,000 shall be expended for Food for the World Pantry; provided further, that not less than \$25,000 shall be expended for the Beverly Affordable Housing Coalition; provided further, that not less than \$50,000 be expended for the Tuttle House facility in Dorchester; provided further, that not less than \$350,000 shall be expended for Bare Meadow in Reading; provided further, that not less than \$300,000 shall be expended to provide employment, training and job placement by Year Up of Boston; provided further, that not less than \$100,000 shall be expended for Heritage State Park located in the Roxbury section of the city of Boston; provided further that no less than \$20,000 shall be expended to the Town of Braintree as a one-time community action grant for Thayer Public Library; provided further, not less than \$5,000 shall be provided for the historical gazebo in the Town of Auburn; provided further, that said office shall expend not less than \$150,000 per year in matching funds for three consecutive years to the Sturbridge Heritage and Preservation Partnership for the purpose of defining, developing and marketing Sturbridge and the surrounding region as a destination that preserves the essence of Massachusetts's past; provided that, Old Sturbridge Village shall coordinate and sustain said partnership; provided further, that not less than \$100,000 shall be expended for the Puerto Rican Cultural Center in Springfield; provided further, that not less than \$95,000 shall be expended for the Mature Workers Program of the Cape and Islands Workforce Investment Board; provided further, that not less than \$50,000

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shall be expended for the Buttonwood Park Zoological Society to establish educational programs, exhibits, and other establishments; provided further no less than \$25,000 shall be appropriated to the Sandwich Glass Museum for the purposes of promoting the education of the glass blowing industry in Massachusetts history; provided further that not less than \$100,000 be provided for maintenance on the Town Line Brook/Route 1 Tidal Gates in Revere; provided further, that not less than \$50,000 shall be expended for Framingham Downtown Renaissance economic, tourism and cultural development programs; provided, that no less than \$85,000 shall be expended for Biotech incubator space within the Smart Growth District in Lynn; provided further that \$75,000 shall be expended as a fifty percent (50%) match for environmental projects in the Towns of Fairhaven and Mattapoisett; provided further, that not less than \$200,000 shall be expended to The Boston Symphony Orchestra; provided further, that \$50,000 shall be expended for the Lincoln Perkins Project in Worcester; provided further, that \$75,000 shall be provided to World is Our Classroom, Inc. serving the towns of Holyoke, Westfield, Chicopee, and Greenfield; provided, that not less than \$150,000 be expended on the Cape Cod Regional Incubator Project to be operated by the Cape Cod Chamber of Commerce; provided further not less than \$300,000 shall be expended for a hospital skill training program operated by the Commonwealth Corporation; provided, that \$500,000 shall be expended for the Wallace Civic Center and Planetarium in the city of Fitchburg; provided further, that \$245,000 shall be provided to the town of Scituate for a pilot program for the community related to transportation; provided further, that not less than \$112,000 shall be expended for the maintenance of the Korean War Memorial of Central Massachusetts Walkway of Honor in Worcester; provided further, that not less than \$95,000 shall be expended for the Boston Housing Authority for a program to provide certain tenant services for the West Broadway Task Force; provided further, that funds appropriated herein shall be obligated for expenditure by the West Broadway Task Force

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for the purposes of tenant services provided by said Task Force; and provided further, that funds appropriated herein shall not be expended by the Boston Housing Authority for discretionary purposes 11,661,116",

In item 6006-0003 by striking out the figures "419,533" and inserting in place thereof the figures "469,533",

In item 7004-2475 by striking out the figures "2,500,000" and inserting in place thereof the figures "3,000,000",

In item 7004-9024 by striking out the figures "27,233,345" and inserting in place thereof the figures "27,483,345",

By striking out item 7004-3036 and inserting in place thereof the following item:

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"7004-3036 For housing services and counseling; provided, that the grants shall be through a competitive application process under criteria created by the department; provided further, that the department shall submit quarterly reports to the secretary of administration and finance, the house and senate committees on ways and means and the joint committee on housing detailing all expenditures of said program including for each regional housing consumer education center the total number of persons who received information and referral services, the costs for such services rendered per consumer and the identification of consumer issues and trends; provided further, that said department shall report to the house and senate committees on ways and means no later than March 1, 2007 on possible savings and efficiencies through consolidation of said services and counseling; provided further, that no funds shall be expended from this item in the AA object class for the compensation of state employees; provided further, that \$141,000 shall be expended for the Just A Start Corporation to administer a housing stabilization and conflict management services program to prevent homelessness; provided further, that not less than \$80,925 shall be expended for the Central Massachusetts Housing Alliance Inc. Donations Clearinghouse Program 1,721,925",

In item 7004-9005 by adding at the end thereof the following: "; provided further, that said department shall expend not less than \$1,000,000 of the funds appropriated herein to increase the non-utility allowable expense level caps, on housing authority operation budgets for elderly and family public housing, beginning with July 1 fiscal year operating budgets and thereafter on those housing authority operating budgets with fiscal years beginning October 1, January 1, and April 1" and, in said item, by striking out the figures "43,113,590" and inserting in place thereof the figures "45,113,590",

In item 7004-9316 by striking out the figures "4,000,000" and inserting in place thereof the figures "5,000,000",

In item 9700-0000 by striking out the figures "6,970,895" and inserting in place thereof the figures "6,980,895", and

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In item 0950-0000 by striking out the figures "198,900" and inserting in place thereof the figures "248,900"; and by adding at the end thereof the following two sections:

"SECTION 239. That a special commission, to consist of 13 persons, 1 of whom shall be the house chairman of the joint committee on public service who shall serve as co-chairman of the commission, 1 of whom shall be appointed by the house co-chairman upon the approval of the other commission members, who shall have professional expertise in the area of healthcare financing, 1 of whom shall be the senate chairman of the joint committee on public service who shall also serve as co-chairman of the commission, 1 of whom shall be appointed by the senate co-chairman upon the approval of the other commission members who shall have professional expertise in the area of public employee benefits, 1 of whom shall be the house chairman of the joint committee on health care financing, 1 of whom shall be the senate chairman of the joint committee on healthcare financing, the president of the Massachusetts AFL-CIO or his designee, the president of the Massachusetts Teachers Association or his designee, the president of the Massachusetts SEIU or his designee, the president of the Retired State County and Municipal Employees Association of Massachusetts or his designee, the executive director of the group insurance commission, and 1 person to be appointed by the governor, is hereby established for the purpose of making an investigation and study relative to review public employee health benefits. The commission shall consider the range of benefits that are or should be provided as well as the current and anticipated future cost of providing them. The commission shall consider and may make recommendations on how best to divide the costs between the commonwealth. The commission shall also study the operation and structure of the group insurance commission.

The commission shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect by filing the same with the clerk of the house of representatives on or before the February 1, 2007.

SECTION 240. The Massachusetts Turnpike Authority shall give priority status to the design and construction of sound barrier projects which abut recent road widening activity."

After debate on the question on adoption of the amendments, the sense of the House was taken by yeas and nays, at the request of Mr. Kaufman of Lexington; and on the roll call (Mrs. Harkins of Needham having been in the Chair) 153 members voted in the affirmative and 0 in the

Amendments
adopted, - yea
and nay
No. 410.

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negative.

{See Yea and Nay No. 410 in Supplement.}

Therefore the amendments were adopted.

The Speaker being in the Chair,-- after debate on the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays, at the request of Mr. DeLeo of Winthrop; and on the roll call 153 members voted in the affirmative and 0 in the negative.

{See Yea and Nay No. 411 in Supplement.}

Therefore the bill (House, No. 4901, printed as amended) was passed to be engrossed. Sent to the Senate for concurrence.

Bill passed to
be engrossed,
-yea and nay
No. 411.

Order.

On motion of Mr. Rushing of Boston,--

Ordered, That when the House adjourns today, it adjourn to meet on Monday next at eleven o'clock A.M.

Next
sitting.

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Mr. Fagan of Taunton then moved that as a mark of respect to the memory of Raymond J. Boffetti, a member of the House from Taunton from 1973 to 1976, inclusive, the House adjourn; and the motion prevailed.

Accordingly, at twelve minutes after six o'clock P.M. (Friday, April 28), on further motion of the same member, the House adjourned to meet on Monday next (May 1) at eleven o'clock A.M., in an Informal Session.

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